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2. The second part of the book is devoted to a detailed account of the political and social conditions of the United States from 1876 to 1896. It covers the period from the Reconstruction era to the end of the Gilded Age, and is divided into two main parts: the Reconstruction era and the Gilded Age.

3. The third part of the book is devoted to a detailed account of the political and social conditions of the United States from 1896 to 1914. It covers the period from the beginning of the Progressive Era to the outbreak of World War I, and is divided into two main parts: the Progressive Era and the outbreak of World War I.

4. The fourth part of the book is devoted to a detailed account of the political and social conditions of the United States from 1914 to 1945. It covers the period from the outbreak of World War I to the end of World War II, and is divided into two main parts: the outbreak of World War I and the end of World War II.

5. The fifth part of the book is devoted to a detailed account of the political and social conditions of the United States from 1945 to the present time. It covers the period from the end of World War II to the present time, and is divided into two main parts: the end of World War II and the present time.

1989a

Plaintiffs' Exhibit 1

(Denver Public Schools Policy 5100)

DPS Policy 5100

DENVER PUBLIC SCHOOLS POLICY 5100

Subject: Equality of Educational Opportunity

Reference: Minutes of the Board of Education, May 6, 1964.

1. POLICY

"This Board of Education recognizes that all children within the District, regardless of racial or ethnic backgrounds, are equally entitled to the benefits of good education and that to secure such benefits the needs and aspirations of all children must be considered.

Barriers of prejudice, discrimination, and of ignorance impede equality. Individuals, schools, and community need to work together to help to overcome these barriers. Equality of educational opportunity can be achieved most readily when school and community provide conditions which enable each child to develop to his full potential.

Because individuals differ greatly in their backgrounds, their capacities, and their motivations, equality of educational opportunity must not be conceived as the same opportunity for each person; that is, for example, as schools with the same curriculum, guidance, and instruction.

The continuation of neighborhood schools has resulted in the concentration of some minority racial and ethnic groups in some schools. Reduction of such concentration and the establishment of more heterogeneous or diverse groups in schools is desirable to achieve equality of educational opportunity. This does not mean the abandonment

1990a

Plaintiffs' Exhibit 1

of the neighborhood school principle, but rather the incorporation of changes or adaptations which result in a more diverse or heterogeneous racial and ethnic school population, both for pupils and for school employees.

The individual group contributions of ethnic and racial minorities, as well as those of the majority, must become increasingly notable in the school through educational opportunities in human and intercultural relations, both for pupils and for school employees.

Finally, this Board recognizes that full realization of equality of educational opportunity involves programs which include some tried and some untried practices."

2. **EFFECTIVE DATE.** This policy is effective on May 6, 1964.

Distribution

**All schools
and departments**

August 24, 1964

Plaintiffs' Exhibit 2
(Resolution Number 1490)

PART I

Policy 5100, Denver Public Schools, recognizes that the continuation of neighborhood schools has resulted in the concentration of some minority racial and ethnic groups in some schools and that a reduction of such concentration and the establishment of an intergrated school population is desirable to achieve equality of educational opportunity.

Therefore, in order to implement Policy 5100, the Board of Education hereby directs the Superintendent to submit to the Board of Education as soon as possible, but no later than September 30, 1968, a comprehensive plan for the integration of the Denver Public Schools. Such plan then to be considered by the Board, the Staff and the community and, with such refinements as may be required, shall be considered for adoption no later than December 31, 1968.

PART II

1. The Board of Education is faced with a serious social crisis. We believe a majority of citizens of Denver have confidence in the ability of this Board to meet the complex, difficult and controversial issues involved in this crisis. However, the Board is aware of wide and deep distrust of its motives and actions by certain racial and ethnic groups, and individuals within those groups. It is accused of injustice, of perpetuating, without concern, the educational and social evils occurring with de facto segregation in schools. These groups have been promised much by society in general. Repeated failures of performance have alienated good friends, have created wide distrust of motives and have created an atmosphere where responsible leadership

Plaintiffs' Exhibit 2

and concerned citizen support are being lost to the schools and to the community. We are increasingly aware of feelings of antagonism, of isolation, of hopelessness, of deep and unyielding bitterness, real and intense. These feelings are strongly held and are not subject to easy communication to those who do not have a similar background. The Board now states that its policy will be to eliminate distrust of its motives and performance by the minority community.

2. Also, the Board is aware of a different and widespread community distrust of Board motives and actions. This is evidenced by a substantial credibility gap, based on the fears of many citizens that their freedom of choice of home location and concurrent school selection is or will be threatened by proposed Board actions, particularly actions in the solution of the educational problems of de facto minority ethnic and racial segregation. The words "bussing", or "reverse bussing" (meaning the transportation of white children into minority populated schools), express the undefined fears of large numbers of Denver citizens that somehow the Board and its policies threaten deeply felt sensibilities. Here there is abroad in Denver a degree of distrust that is frightening in its intensity and has many ramifications. Expressions of such feelings are frequently prefaced by express denials of prejudice, racial or otherwise, and the Board accepts such denials at face value and as evidence of the existence of good will towards the minority communities of Denver. The Board recognizes that the voluntary support of citizens who presently hold such views is necessary to the proper functioning of the school system.

3. A third source of distrust of Board motives and performance is that body of citizens of all races, including many whites, who recognize and accept that segregated education

Plaintiffs' Exhibit 2

is harmful to both minority and majority children and who now insist that the Board increase its efforts to eliminate the educational evils of de facto segregation. The Board has obviously failed to convince these people that its past actions, and particularly the recent approval of major junior high school construction and the proposed voluntary movement of elementary minority pupils represent good faith efforts in this area. The confidence of these citizens must be restored and the Board proposes to seek their active support.

4. A fourth force presently apparent and widely communicated to the Board is a reluctance throughout the city to see the tax load—primarily the real estate tax load—increased in any degree. In this area, the Board has apparently failed to communicate to the community the validity of the financial needs of the District. Increased State aid, if and when forthcoming, will be welcome but realistically can do little to reduce the real estate tax levy and will, in the long run, create a further class of concerned taxpayers to whom the function, purpose, method and objectives of the school system must be explained and whose understanding of such matters must be obtained. The Board states that its policy is and will be to foster such understanding.

5. The death of Dr. Martin Luther King has focused the attention of concerned people of good will upon the deep and festering injustices of modern urban existence with its contradictions of opportunity and achievement, in an America dedicated, at least in theory, to the equality of opportunity for all men. Particularly in the area of public education, Dr. King's death has caused thoughtful persons of all races, particularly whites, to reassess beliefs long

Plaintiffs' Exhibit 3

and dearly held and to question the pace of change and even its direction.

A. The Board is resolved to act as a unifying agency for Denver in these times. To this end, it requests the Superintendent in implementation of the purposes of Resolution No. 1490 and in response to the community concerns stated above, to include within the plan required by Resolution No. 1490, or to submit separately but at the earliest practical time or times, a further plan, or a series of plans, including specific timetables, to accomplish the following:

1. The reduction of concentrations of minority racial and/or ethnic groups in schools and the integration of school populations.
2. The actual existence of equality of educational program in all schools, regardless of location, including, without limitation, faculty quality, training, experience and attitude, course offerings, equipment and facilities.
3. The active participation in programs within the metropolitan Denver area to establish more diverse or heterogeneous racial and/or ethnic school populations.
4. The emphasis at all instructional levels of the individual and group contributions of ethnic and racial minorities.
5. The maximum involvement, consistent with maintenance requirements, of the school plant in the community activities of the Denver metropolitan area, to commence during the forthcoming summer.
6. Human relations and sensitivity training for all teaching and administrative personnel and assurance that

Plaintiffs' Exhibit 2

personnel recruitment and assignment policies are consistent with the realities of our multiracial and multiethnic world.

7. The establishment of citizen community support to accomplish the widest possible community understanding of the aims, purposes, motives and affairs of the School District.

8. B. To consider, among such other factors as appear proper, the following:

1. The use of transportation and the degree to which transportation should be mandatory or voluntary.

2. The desirability of temporary or permanent closing of certain schools.

3. The existence of community attitudes and opinions.

4. The requirement for all children of course offerings in minority group cultural, historical, social and economic contributions to our society and of qualified minority group member teachers.

5. The development of "magnet" or "laboratory" schools in core areas, including attendance policies for such schools.

6. The use of community resources and resource people.

7. The availability to all children at all levels of textbooks and other instructional materials which fairly and favorably represent minority groups and individuals.

8. The availability for use by persons in all parts of the the District of school facilities for extracurricular educational, recreational and community purposes.

Plaintiffs' Exhibit 2

9. The feasibility of some form of extended school year.
10. The degree to which present vocational, technical and job oriented course offerings meet the needs of the children of this District.
11. The active extension of intercultural and interracial experiences for children, including the expansion of the cultural art center program and similar programs.

C. The Board is impelled by a sense of urgency in these matters. To this end, it has requested the Superintendent to submit his plan responsive to Part I of this resolution within the periods therein provided. The plans required by Part II should be submitted as and when prepared for Board and public consideration and for adoption at the earliest possible time. As an example only, plans for the fullest use of school facilities for community summer programs are obviously needed now. Also, preliminary plans for community organizations can properly be expected shortly. In any event, the Board requests the Superintendent to present plans responsive to Part II of this resolution not later than the regular meeting of the Board in September 1968 and periodically thereafter until complete plans are forthcoming.

1997a

Plaintiffs' Exhibit 20

**(Excerpts from Report and Recommendations to the
Board of Education, School District No. 1)**

REPORT AND RECOMMENDATIONS

to the

BOARD OF EDUCATION

SCHOOL DISTRICT NUMBER ONE

DENVER, COLORADO

by

A SPECIAL STUDY COMMITTEE

ON

EQUALITY OF EDUCATIONAL OPPORTUNITY

IN THE DENVER PUBLIC SCHOOLS

James D. Voorhees, Chairman

Irving P. Andrews, Vice-chairman

Earl Rinker, Vice-chairman

James A. Atkins

Miss Mildred Biddick

Mrs. Lyman Blackwell

G. Keith Bogert

Alfred G. Brown

Ronald E. Carlson

Roger Cisneros

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Miss Mary C. Doremus

Mrs. W. Ross Ewing

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Mrs. Edward J. Fikany

Mrs. James C. Flanigan

Harry D. Hawkins

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Cletus Ludden

Mrs. Donald C. McKinlay

Mrs. Edmond F. Noel

Mrs. L. Joseph Pittroff

Mrs. Clyde W. Preston

Lloyd M. Schmidt

Pete Shannon, Jr.

Bernard Valdez

Mrs. Franklin P. Wherry

Miss Vivienne S. Worley

Minoru Yasqui

March 1, 1964

Established by the Board of Education

School District Number One

Denver, Colorado

1998a

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In The City And County Of Denver

And State Of Colorado

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INTRODUCTION

THE PROBLEM

The Special Study Committee on
Equality of Educational

Opportunity is pleased to submit this Report and Recommendations. It was charged to study and report on the present status of educational opportunity in the Denver Public Schools, with attention to racial and ethnic factors, and to make recommendations. This it has done. The Committee's report is presented to the Board of Education and through the Board to the people of the Denver community in the hope that its findings and recommendations will be accepted in the constructive spirit in which they are made.

The members of the Committee brought with them the diverse attitudes of various segments of the total Denver community—geographic, ethnic, racial, economic—ranging from pride in the status quo and objection to any change, through various shades of interest without particular opinion, to feelings that real inadequacies exist, with strong desires for change. Over the period of its work, however, and when facts were fully known and freely discussed, the Committee has gradually found substantial areas of agreement as to principles, findings and recommendations. The extent of agreement within and by a group as diverse as this suggests that when facts are known and freely considered, with mutual respect for apparently conflicting attitudes, solutions can be found to sensitive problems which at first seem insoluble. In this the Committee sees reason to expect substantial acceptance of its report by the total Denver community. The approach must be, however, on a level of mutual trust and mutual respect; agreements of substance and purpose can be had only when each group admits the existence of a position other than its own. Happily, in the

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Committee's experience, this did occur. Hopefully, in the public consideration of this report, it will also occur.

The Denver community has pride in its schools. There is pride in its programs for meeting the needs of the most able and ambitious; in its programs for the college bound; in the achievements of the "average" pupil who is motivated toward school accomplishments; in the programs for pupils who are physically handicapped; in the programs for pupils of limited ability (although the need is greater than the teachers and facilities available); in the broad offerings of Opportunity School to help adults in search of training and retraining; and in the national reputation of the Denver system as a forerunner in education.

There is also public concern. There is general concern about overcrowding; concern over the needs of pupils not truly interested in academic pursuits; concern about drop-outs; concern for the adequacy of opportunity offered to the brilliant student; concern, widely found, that somehow, through the work of the Committee or otherwise, the rights of members of the majority culture freely to live and associate as they wish and to send their children to schools in their own community were in jeopardy; concern that Denver's residential patterns, however caused, result in unequal educational opportunity for minority children, particularly the Negro racial minority and the Spanish surnamed cultural minority.

It is with this last area of concern that the Committee, because of its charge, has been primarily concerned. There are two separate but interwoven problems. One is the problem of the education of the urban disadvantaged child; the other, the problem of the effect of racial segregation on the educational process. They are not the same problem but because of an apparent correlation of proportionately large numbers of minority racial (Negro) and ethnic

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(Spanish-American) groups with the other factors which create the class of urban disadvantaged, the two are generally linked. Care must be taken not to confuse available solutions.

In common with every large city in America, Denver has an appreciable number of citizens who, by virtue of the nature of their lives and their environment, probably, under present conditions, will never be able to compete and to succeed in accordance with the standards of the dominant urban middle class culture, although they may have been entirely adequate and successful in their former, often rural, environment. Experience elsewhere would indicate that unless present trends are reversed, this group will increase numerically and will form a caste whose adult members tend to be permanently uneducated, unemployed and unemployable. Not only does this create a financial drain on the entire community, but it represents a tragic loss in human potential and productivity. These people differ totally among themselves in background and heritage but when exposed to the urban, mechanized, automated and competitive society of a metropolitan center, develop certain similar characteristics. They live crowded into the area of lowest real estate values; they lack skills with which to compete and the skills they have are no longer of value; they lack the ability to achieve according to the standards of the dominant culture; they lack motivation for traditional education; they lack satisfaction from personal achievement; they are the last hired and first fired; they are in short, disadvantaged.

In Denver, as in other northern cities, the urban disadvantaged group is made up of all races and ethnic backgrounds. A large part are Negroes from the rural South, who arrive unskilled, partially educated, burdened by traditions of legal inequality and unable to compete success-

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fully. In common with most Negroes, they have experienced subtle or overt acts of discrimination throughout their lifetimes, with inevitable damage to the self image in both adults and children. While they have been exposed to the cultural background and standards of the majority, they have not realized its benefits and to them the principles of democracy may be far from its practices.

Perhaps a greater number of the urban disadvantaged are the Spanish surnamed from New Mexico and southern Colorado, brought to the area first as miners and agricultural workers and forced into the city by the closing of the mines, the seasonal nature of agricultural work and the increased mechanization of farms. These people and their ancestors have lived for more than three centuries in the small villages in the valleys and mountains of the upper Rio Grande. They bring to Denver value patterns and cultural characteristics which often interfere with adjustment to urban life and the values now dominant in an urban competitive society. For example, goals based upon the concept that worth depends upon the accumulation of property or money have little meaning to a people whose traditional and most valued characteristic is that of sharing with others what they may acquire.

The urban disadvantaged most frequently move to the older sections of town, where race, ethnic identity, language barriers, lack of motivation factors, lower educational standards, lack of skills and chronic unemployment combine to create a "culture of poverty" from which escape becomes most difficult. A child of whatever racial or ethnic background in such a culture, without fault of his own, usually adapts to the value characteristics of his neighborhood. While these value concepts are not generally the accepted values of the middle class majority culture, they do have strengths and characteristics upon which much can be built.

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However, the public schools, basically reflecting the interest of the majority culture, have established standards, methods, vocabulary and procedures based upon the experiences and value characteristics of that culture, and with these the urban disadvantaged child cannot achieve. Predictably, unless the educational system to which this child is inducted recognizes and compensates for the factors which since his birth have affected him, he will inevitably be behind when he enters the system, will get further behind as he attempts to progress through it, will achieve significantly less from it, and in a disturbingly high percentage of instances will never complete the secondary educational program. Because of the Committee's particular charge and because of the high incidence of minority racial and ethnic composition in the urban disadvantaged in Denver, this report will necessarily deal at some length with the problems of this group.

Entirely apart from the problem of the disadvantaged child, there is in Denver real possibility of unequal educational opportunity because of the existence of clusters of minority racial (Negro) and ethnic (Spanish surnamed) groups within the city.

In a "neighborhood" school system one inevitable result of concentrations of races and ethnic groups because of housing patterns is concentrations of children in the schools into the same groups. There is abundant authority to the effect that such "de facto" separation in schools may result in educational inequalities, and there is in Denver wide belief among the racial and ethnic minorities that the schools to which their children go are in some way unequal. In addition, however, there is the fact that there is not available to many children (perhaps a majority of the total school population, regardless of race or ethnic background) the democratic experience of education with members of

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other races and groups with which they will have to live and compete. The responsibility to eliminate or reduce this result where possible and to compensate for it where elimination is not possible by the removal of prejudice (whether based on color, ethnic or religious background, false values, or any other cause) must be the responsibility of the school to its pupils. This report will suggest ways in which this may be done.

Denver retains two major assets: Effective leadership still within the community and a framework of public opinion which has not yet polarized into opposite camps. These assets have been lost to other cities to the east and west where similar problems have existed and have not been met firmly and openly. So far, perhaps because of the relative smallness of the numbers involved, or perhaps because of the initiative taken by various local groups, there has not yet been the massive flight to the suburbs which has so often occurred and is now occurring in other major population centers. This has resulted in the retention within metropolitan Denver of responsible leadership in all of the various groups which make up the population of the City. Also, while areas of tension exist, the people of Denver are still communicating. There is time in which to find and apply reasonable solutions.

The Committee hopes that what follows will be of help in reminding Denver that while it has a fine school system it also has problems, in common with all other large urban areas, the solution of which must be accepted as the responsibility of the total community. As a functioning part of the total community, the schools will have a part to play.

THE COMMITTEE

The Special Study Committee on
Equality of Educational

Opportunity in the Denver Public Schools was created by resolution of the Board of Education on June 27, 1962.

Plaintiffs' Exhibit 20

Members of the Committee were selected by the Board from more than 500 names submitted by interested citizens and organizations and were formally appointed on November 7, 1962.

Formation of the Committee stemmed from proposals included in the School Administration's February 1962 Report to the Board on Pupil Population, School Boundaries, Pupil Transportation, and School Buildings to construct a new junior high school at 32nd and Colorado Boulevard and to continue certain optional boundary lines in the East-Manual high school area. Because the population which lives within the boundaries proposed for the school at 32nd and Colorado Boulevard is predominantly Negro, these proposals led to statements by some citizens that any such action by the Board would constitute "de facto" segregation of pupils and that this was forbidden under the United States and Colorado constitutions.

At several of its meetings in March, April and May, 1962, the Board of Education was urged to consider racial-ethnic factors in determining school boundaries, in locating new schools, and in other aspects of school operation. In addition, other evidence had reached the Board that throughout certain areas of Denver there was public concern over the educational opportunity offered to pupils of minority racial and ethnic groups. Appointment of a special study committee to include citizens of the community, was urged by groups representing many segments of the community, not only those immediately affected.

In creating the Special Study Committee, the Board of Education affirmed in its resolution that "all children within the District, regardless of racial or ethnic background, are equally entitled to the benefits of good education, and that to secure such benefits, the needs and aspiration of all children must be considered."

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The Committee was charged to "study and report on the present status of educational opportunity in the Denver Public Schools, with attention to racial and ethnic factors in the areas of curriculum, instruction and guidance; pupils and personnel; buildings, equipment, libraries and supplies, administration and organization; school-community relations, and to recommend improvements in any or all of such specific areas."

The Committee which made this study and prepared this report was composed of a chairman, two vice-chairmen, three residents, not employed by the Denver Public Schools, from each of the eight high school areas of the District, and six professional staff members from the Denver Public Schools.

The members of the Committee, in addition to geographic diversity, also brought with them attitudes of the varied racial, ethnic, cultural and economic groups which form the total Denver community.

In the course of its study, the Committee invited all school employees and any interested organizations and citizens to write suggestions and comments relative to its area of inquiry. Nearly 200 letters were received and thoughtfully considered. Interviews were conducted with administrative personnel, with principals, teachers and non-teaching personnel, with parents, students and interested citizens. Elementary, junior and senior high schools were visited (including classroom visits) in all six general areas of the Denver school system. Reports from other cities where similar surveys had been conducted were studied. Consultants in the field, from Denver and from other parts of the country, spoke to and counseled with the Committee as a whole and with small groups. The school curriculum, its modifications, current pilot projects in instruction, text-

Plaintiffs' Exhibit 20

books and teaching materials and equipment were studied. Pertinent data in many areas were gathered and analyzed by the Committee. Open meetings were held in the eight high school districts in Denver, at which in excess of 2300 citizens expressed their views. A professional opinion research firm was employed to obtain information on community attitudes toward the schools. A summary of this report will be found commencing on Page 38 of the Appendix. Twenty-five meetings of the full Committee were held; 30 meetings of the steering committee were held; 132 meetings of individual subcommittees were held (not including countless interviews by individual members); and 87 visits in 62 different schools were made.

The Planning Services Department of the Denver Public Schools divides the school district into six areas. To compare data the same six areas have been used by the Committee. It must be noted that these area boundaries are based on elementary school districts so that, while junior and senior high schools are included in the areas where they are located geographically, such schools may draw pupils from beyond the area in which they are situated. Page (1) of the Appendix shows a map of these six areas and a detailed description of them commences at Page (9) of the Appendix.

The Committee is deeply grateful to the Denver Public Library and to the very many individuals and organizations who so unselfishly made available their help and counsel, without which this report would not have been possible.

In this area of the Committee's investigation, it has reviewed the principle of the "neighborhood" school and its application in the Denver school system; the method by which fixed but not unchangeable boundaries are established; the existence of optional areas of attendance; the

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transfer of pupils; and the use of pupil transportation at School District expense.

BOUNDARIES

As used in this report, the "neighborhood school" is a school which is more or less centrally located within an area bounded by definite lines which children within that area are expected to attend. The report will discuss the policies which in the past have governed the establishment of school boundaries and the location of schools in Denver and will suggest additional policies which now are applicable. However, the basic principle of neighborhood schools is the prescribing of a clearly defined *geographic* area, determined by considerations which best serve the interests of all of the pupil population. The neighborhood school principle should not, however, be used to freeze school boundaries and changing conditions will require periodic review and revision of established boundaries.

The Committee generally endorses the application of the neighborhood school concept in the organization of the Denver school system, not because it is traditional in the American school system or because it has been adhered to in the past in Denver but because in the Committee's opinion an objective evaluation of the benefits and predictable results outweigh deficiencies when compared with other methods of assigning pupils to schools. Among such benefits are rational distribution of the school population, convenience to the child in getting to and from the school, a close home and school relationship between parents and teachers, placement of pupils in relation to maximum use of school plants.

The Committee is fully aware that the composition of the school population within any attendance areas tends to be

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homogeneous in all American cities, and its investigations confirm that in Denver this occurs in a substantial number of individual school areas, particularly at the elementary level. In approving the continued adherence to the neighborhood school principle, the Committee emphasizes that it should never be used deliberately as a device to contain or restrict any ethnic or racial group.

In administering the allocation of pupils to schools under a neighborhood school plan, it is axiomatic that the reasons and policies which dictate how boundaries are drawn and maintained are all important. The Denver Board of Education has no written policy governing the setting of boundaries; however, the Committee was given the following unofficial summary of rules and procedures which currently govern decisions regarding boundaries and which are apparently well known to and followed by those charged with this duty:

There is every evidence that these rules and procedures have been followed carefully and without prejudice in the granting of transfers. Approvals are granted only where exceptional circumstances, within these rules, permit an exception to the principle that each student should attend his own neighborhood school. Once such a transfer has been approved, the circumstances are reviewed annually to verify that the condition which resulted in transfer still applies.

During 1963, 122 transfers to a school other than the one in the district in which they live were approved for elementary school pupils (less than 2/10 of one per cent of the total pupils); 29 for junior and senior high school students (less than 7/100 of one per cent of the total pupils).

The Committee finds itself generally in accord with the rules governing pupil transfer which are being followed by Denver school administrators. It recognizes fully the need

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for keeping tight control of any exceptions to the rules which govern the administration of the neighborhood school principle.

Nevertheless, there appears to be a possibility of continuing firm control of transfers while permitting a flexibility of individual choice.

The open enrollment plan as recommended would provide that at stated intervals (probably annually toward the close of the school year in the Denver system) all schools would be reviewed to determine their student population as compared with their student capacity. Those schools having a previously stated percentage (90% is working well in Detroit) of population to capacity would be declared as open schools. Such a plan of open enrollment has been used in other communities, with reported success.

The names and location of the open schools would be publicized widely before the end of the current school year, giving the number of enrollments outside its own boundaries which would be permitted for each school. Children from any place within the Denver School District would be permitted to request enrollment in those schools, with acceptance on a first-come, first-served basis. Such transfers would be permitted for each school until its previously established quota had been met, or until a previously announced date in the new school year had been reached.

Under this type of transfer, and this type only, no reason for the requested transfer would be expected or required. Students taking advantage of this open enrollment would be required to furnish their own transportation.

RECOMMENDATION ON PUPIL TRANSFERS

The Board of Education should supplement its present transfer policy by the adoption of a plan of limited open

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enrollment generally in accordance with the procedures discussed above. The plan adopted by the school system in Detroit is suggested as a model.

TRANSPORTATION OF STUDENTS At the present time, students are transported at District expense only under certain circumstances.

The extent of transportation of students in the current year, together with the reasons for such transportation, is given in the following summary. Except for students at Boettcher School, no high school students are transported:

Reason	No. Elementary Pupils	No. Junior High Pupils
From overcrowded schools to those with available capacity	183	0
From newly annexed areas which do not have any schools	1,552	436
From Lowry Field	331	129
From within own school sub-district where required traveling distance (possibly allowing for unusual safety hazards) is over $\frac{3}{4}$ mile for elementary pupils or $1\frac{1}{2}$ miles for junior high pupils	1,493	3,270
To Boettcher School	102	59 (senior high pupils included)

The Committee believes that the transportation of students is sometimes necessary but is never desirable because, among other disadvantages, it involves considerable added costs, inconveniences to pupils and parents, particularly in emergency or illness, inability of the pupil to enter into extra-curricular activities, and difficulty in promoting close contacts with parents.

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Transportation of pupils for the sole purpose of integrating school populations is regarded by the Committee as impractical.

RECOMMENDATION ON PUPIL TRANSPORTATION

Transportation of pupils should be regarded as an expedient rather than as a solution to problems, including the problem of racial imbalance in the schools.

OPTIONAL AREAS

Optional Areas are defined as specific geographic areas in which the students who reside therein have a free choice to attend either one or the other of two schools designated to serve such area. The Committee finds that optional areas, once established for whatever reason, have a tendency to continue after the reasons which caused them to be formed cease to exist. In recent years, however, existing optional areas have been reduced and at the present time, after the boundary changes which were made effective in September, 1962, only the following optional areas remain:

A. High Schools*

Manual-North, Manual-East (two areas),
East-Washington

B. Junior High Schools**

Smiley-Cole

* Appendix page 7. Map of Senior High School Boundaries and Optional Areas.

** Appendix page 6. Map of Junior High School Boundaries and Optional Areas.

*Plaintiffs' Exhibit 20**C. Elementary Schools******Columbine-Harrington, Park Hill-Stedman,
Lincoln-McKinley**

The advantages of establishing fixed geographic areas for all schools have been discussed and are recognized by the Committee, subject only to the adoption of a limited open enrollment policy and the continuation of the transfer policies now in effect. The use of optional areas forms no part of rational administration of the system for fixing boundaries which the Committee has recommended.

RECOMMENDATION ON OPTIONAL AREAS

All optional areas should be fully eliminated at the earliest possible date.

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2. The Board should adopt a written policy recognizing that the Denver school system necessarily deals with pupils of different racial, ethnic, economic and cultural backgrounds. To accomplish equality in the application of the education process, sensitivity to, and the practice of, good human relations at all levels is required.
3. The administration should formulate by the end of the current school year a program of inservice human relations training, making use of applicable and available resources, both in the community and from outside.
4. All teachers and all other school personnel should complete such program without delay, with priority

*** Appendix Map 1. Six Areas Based on Elementary School Boundaries.

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to be given to personnel assigned to schools containing substantial numbers of culturally disadvantaged pupils.

5. The administration should continue to cooperate with universities and colleges in promoting seminars in the field of human relations for teachers and other school personnel. These seminars should include materials drawn from intergroup relations, sociology, anthropology, psychology and other behavioral sciences.

ASSIGNMENT AND TRANSFER OF TEACHERS Teachers employed by the Denver Public Schools are on probationary status for the first three years. After three years of successful experience, teachers achieve tenure status. During the probationary period the teacher's services are appraised twice each year, and if during this period a teacher is found to be unsatisfactory, he is "counseled out" and the usual result is that such teachers leave at the end of two years. The administration does not assure any particular assignment and reserves its prerogative to place the new teacher where it deems advisable.

Changes of assignment (transfers) are now governed by Policy 1617A effective April 1, 1963 (Appendix pages 31-34).

The Committee has seen no evidence that the administration has made any effort to appeal to qualified teachers to consider assignment or transfer to schools in areas largely populated by culturally disadvantaged children. It does appear that the percentage of teachers on probationary status in such schools may be higher than the percentage of such teachers in other areas.*

* Appendix page 35, Study of Teacher Status—Elementary and Secondary Schools.

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In the earlier part of this section of its report, the Committee has discussed various means to make more effective the educational process in schools largely attended by culturally disadvantaged children. These practices (small class sizes, use of teacher aides, reduction in administrative duties and human relations training) appear to the Committee to be incentives which should be used to implement the challenge to professional teachers to succeed in such assignment, so as to induce qualified teachers to seek assignment to such schools. An affirmative recognition of the value of such service by the Board and the administration would also help.

While precise statistics are not available, the Committee believes that almost all of Denver Negro teachers were initially assigned to schools having a high proportion of Negro students. A few have been transferred to other schools. There is now at least one Negro teacher in each senior high school except for Manual which has eleven. Nine out of thirteen junior high schools have one or more Negro teachers, and Cole has thirty-three. One or two Negro teachers have been placed in each of seven elementary schools other than those which contain large numbers of Negro children.*

Spanish surname teachers are fewer in number than Negro teachers and the housing pattern of people of Spanish-American background is more dispersed. However, it does appear that relatively few Spanish surnamed teachers have been assigned to areas where there are few or no residents with Spanish-American background.

As a result of its interviews the Committee is convinced that race has been relevant in the assignment of teachers.

* Appendix page 36, Estimate of Distribution of Teachers of Minority Background.

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It appears that the administration has been extremely reluctant to place Negro and Spanish-American teachers in predominantly white schools because of concern with a possible lack of acceptance on the part of a white neighborhood and a realistic assessment of the possible lack of support by some principals and faculties.

The Committee also has found evidence that some teachers are assigned and transferred without regard for their training for the particular grade. Because secondary teaching calls for certain definite skills and elementary teaching for others, the teaching process at all levels can suffer from this practice. This would be particularly true in the education of culturally disadvantaged children.

RECOMMENDATIONS AS TO TEACHER ASSIGNMENT
AND TRANSFER

1. The Board of Education should establish and enforce a policy that qualified teachers of minority background will be assigned throughout the system.
2. The constructive policy of the Superintendent's office in establishing written transfer policies should be continued.
3. All transfer policies should be reviewed annually by the Board and by the administration.
4. School principals should communicate with the particular administrative official who actually makes assignment decisions in regard to transfer and assignment of teachers into and out of their schools. Teachers should be encouraged to undertake the same type of conference with such administrator. Principals, however, should not have final authority to accept or reject any teacher assignment or transfer.

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5. After a transitional period during which the other recommendations of this Committee are implemented, particularly with respect to training in human relations, no teacher (probationary or permanent) should be assigned to teach in a school containing substantial numbers of culturally disadvantaged children unless his preparation, experience, and/or personal qualifications demonstrate the probability that he will be successful in teaching culturally disadvantaged children.
6. A systematic program should be established by the administration to encourage teachers to teach in schools attended by culturally disadvantaged children and to emphasize affirmatively the personal rewards and satisfactions gained by teachers who work in such schools.
7. In policy statements adopted by the Board and by the administration, it should be made clear that teacher preference as to assignment is subordinate to other criteria and that each qualified teacher in the system is expected to be able to teach and to be prepared to teach in any school where the administration thinks he can be most effective.
8. Teachers should be assigned or transferred to the elementary or secondary schools with major consideration given to their qualifications for teaching at a certain level.
9. So that this will not be used as an excuse for careless placement or perpetuation of assignments contrary to these recommendations, the residence of a teacher should have nothing to do with his assignment except in unusual cases.